IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

RPFC.No. 85 of 2002()

MC.110/2000 of FAMILY COURT, MANJERI
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REVISION PETITIONERS/PETITIONERS:
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1. **SOUDA, AGED 18 YEARS,**
   D/O.CHELAKKODAM, PATHUTTY, CHENTHAPPADY,
   MELATTOOR P.O., MALAPPURAM DIST.

2. **MURSHITHA, (MINOR)**
   D/O.SOUDA REP. BY THE
   GUARDIAN MOTHER 1ST PETITIONER.

BY ADV. SRI.K.P.MUJEEB

RESPONDENT/ RESPONDENT:

PUTHENPEEDIKA ASSI, AGED 22 YEARS,
S/O.MUHAMMED, PUTHENPEEDIKA HOUSE,
CHENTHAPPADY, MELATTOOR P.O.,
MALAPPURAM DIST.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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R.P.(F.C.)No.85 of 2002

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Dated this the 13th day of July,2007

ORDER

The revision petitioners are petitioners in M.C.No.110/2000 in the file of the Family Court, Manjeri with respect to the proceedings initiated under Section 125 Cr.P.C. The court below dismissed the petition on the ground that the 2nd petitioner was not present in spite of the fact that the case was posted for evidence finally. It is submitted that in fact the petitioner was represented by the counsel.

2. In the circumstances, the order of the court below is set aside. The court below is directed to permit the revision petitioners to further proceed with the matter and dispose of the case on merits. The court below shall issue fresh summons to the respondent. The revision petitioners shall appear before the court below on 14.08.2007.

The appeal is allowed.

K.R.UDAYABHANU,JUDGE

dvs